

No. 76

# MICHIGAN SENATE

## DAILY CALENDAR

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TUESDAY, OCTOBER 1, 2013  
10:00 a.m.

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### MOTIONS

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1

(Consideration postponed until Saturday, December 28.)

**SB 95** Sen. Hopgood

Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in private sector.

Amends secs. 1, 2, 8, 14, 17 & 22 of 1939 PA 176 (MCL 423.1 et seq.).

**Refer to Resolutions pursuant to Rule 3.106.**

**Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.**

2

(Consideration postponed until Saturday, December 28.)

**SB 96** Sen. Hopgood

Labor; collective bargaining; requirement for agency fee for nonunion members; allow in bargaining agreements and as condition of employment in public sector.

Amends secs. 9, 10 & 15 of 1947 PA 336 (MCL 423.209 et seq.).

**Motion to discharge Committee on Reforms, Restructuring and Reinventing pending.**

3

(Consideration postponed until Saturday, December 28.)

**SB 145** Sen. Johnson

Individual income tax; deductions; pension tax; eliminate limitations and restrictions.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

**Motion to discharge Committee on Finance pending.**

4

(Consideration postponed until Saturday, December 28.)

**SB 280** Sen. Jones

Individual income tax; income; limitations and restrictions on deduction of certain retirement or pension benefits, treatment of senior citizens, and the homestead property tax credit; eliminate and restore.

Amends secs. 30, 520 & 522 of 1967 PA 281 (MCL 206.30 et seq.).

**Motion to discharge Committee on Finance pending.**

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### THIRD READING OF BILLS

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5

**SB 80** Sen. Hansen

School aid; other; reporting of certain expenditures; require.

Amends sec. 18 of 1979 PA 94 (MCL 388.1618).

**Reported by Committee on Education.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

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### THIRD READING OF BILLS

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6

**SB 81** Sen. Hansen

Education; school districts; limitations on certain uses of school district funds; provide for.

Amends secs. 1254 & 1814 of 1976 PA 451 (MCL 380.1254 & 380.1814).

**Reported by Committee on Education.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

7

**SB 459** Sen. Colbeck

Insurance; health; qualified health plans and private exchanges; establish in this state to ensure access to quality health care.

Creates new act.

**Reported by Committee on Government Operations.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

8

**SB 460** Sen. Colbeck

Human services; medical services; all medical assistance program recipients; enroll in certain certified qualified health plans.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 105c.

**Reported by Committee on Government Operations.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

9

**SB 285** Sen. Bieda

Crimes; animals; penalties for crimes against animals; enhance, and make other revisions.

Amends secs. 50 & 50b of 1931 PA 328 (MCL 750.50 & 750.50b).

**Reported by Committee on Judiciary.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

10

**SB 286** Sen. Jones

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of animal cruelty; enact and amend.

Amends secs. 16b, 34, 40, 46 & 49, ch. XVII of 1927 PA 175 (MCL 777.16b et seq.).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

## THIRD READING OF BILLS

11

**SB 156** Sen. Brandenburg

Michigan business tax; administration; gross receipts, certain credit and apportionment provisions; modify to clarify original intent.

Amends secs. 111, 305, 403 & 433 of 2007 PA 36 (MCL 208.1111 et seq.).

**Reported by Committee on Finance.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

12

**SB 404** Sen. Brandenburg

Environmental protection; funding; perpetual care fund; modify acceptable instruments.

Amends secs. 11504, 11523, 11523a, 11525 & 11525b of 1994 PA 451 (MCL 324.11504 et seq.).

**Reported by Committee on Finance.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

13

**SB 428** Sen. Kahn

Veterans; cemeteries; flags used to mark graves of veterans; require to be American made.

Amends secs. 1 & 1a of 1915 PA 63 (MCL 35.831 & 35.831a).

**Reported by Committee on Veterans, Military Affairs and Homeland Security.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

14

**HB 4355** Rep. Clemente

Housing; condominium; auditing requirements; modify.

Amends sec. 57 of 1978 PA 59 (MCL 559.157).

**I.E. House, June 5, 2013.**

**House substitute (H-3).**

**Reported by Committee on Regulatory Reform.**

**Committee recommended I.E.**

## GENERAL ORDERS

15

**SB 49** Sen. Casperson

Weapons; licensing; certain firearm licensing information; exempt from freedom of information act.

Amends secs. 2 & 2a of 1927 PA 372 (MCL 28.422 & 28.422a).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

16

**SB 63** Sen. Pavlov

Weapons; firearms; Michigan firearms freedom act; create.

Creates new act.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

## GENERAL ORDERS

17

**SJR F** Sen. Bieda

Courts; judges; election of or appointment to a judicial office of person who has reached 70 years of age; remove prohibition.

Amends sec. 19, art. VI of the state constitution.

**Reported by Committee on Judiciary.**

18

**HB 4111** Rep. Haveman

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2012-2013.

Creates appropriation act.

**I.E. House, February 28, 2013.**

**House substitute (H-1).**

**Rules suspended, placed on General Orders, Tuesday, March 5.**

19

**SB 169** Sen. Kowall

Traffic control; traffic regulation; autonomous driving; authorize under certain circumstances.

Amends title, division heading & sec. 244 of 1949 PA 300 (MCL 257.244) & adds secs. 2b, 663, 664, 665, 666 & 817.

**Reported by Committee on Transportation.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

20

**SB 131** Sen. Hopgood

Family law; child custody; granting of custody or parenting time for parent convicted of certain sexual offenses; prohibit.

Amends 1970 PA 91 (MCL 722.21 - 722.31) by adding sec. 5a.

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

21

**SB 229** Sen. Moolenaar

Natural resources; funding; natural resources trust fund; clarify that money may be expended for dredging of harbors for use by recreational watercraft.

Amends sec. 1903 of 1994 PA 451 (MCL 324.1903).

**Reported by Committee on Outdoor Recreation and Tourism.**

**Committee recommended I.E.**

22

**SB 269** Sen. Kowall

State financing and management; funds; 21st century jobs trust fund; modify.

Amends secs. 7 & 8 of 2000 PA 489 (MCL 12.257 & 12.258).

**Reported by Committee on Economic Development.**

**Committee recommended I.E.**

23

**SB 278** Sen. Kowall

Economic development; Michigan strategic fund; investment fund; modify.

Amends sec. 88h of 1984 PA 270 (MCL 125.2088h).

**Reported by Committee on Economic Development.**

**Committee recommended I.E.**

## GENERAL ORDERS

24

**SB 136** Sen. Moolenaar

Health; other; religious liberty and conscience protection act; enact to allow health care payers, health facilities, and health providers a right to decline to provide or pay for certain objectionable health care services.

Creates new act.

**Reported by Committee on Health Policy.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

25

**SB 155** Sen. Brandenburg

Michigan business tax; administration; gross receipts, certain credit, and unitary filing provisions; modify to clarify original intent.

Amends secs. 111, 113, 403 & 511 of 2007 PA 36 (MCL 208.1111 et seq.).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

26

**SB 2** Sen. Jansen

Occupations; nurses; advanced practice registered nurse (a.p.r.n.); establish license for nurse midwives, nurse practitioners, and clinical nurse specialists and provide other general amendments.

Amends secs. 2701, 5119, 16125, 16161, 16163, 16216, 16231, 16231a, 16327, 17201, 17210, 17211, 17212, 17221, 17607, 17708, 17745, 17820, 17822, 18301 & 20201 of 1978 PA 368 (MCL 333.2701 et seq.) & adds secs. 17202, 17210a, 17211a, 17214 & 17221a.

**Reported by Committee on Reforms, Restructuring and Reinventing.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

27

**SB 211** Sen. Rocca

Worker's compensation; disabilities; occupational cancer; provide presumption for certain firefighters regarding.

Amends sec. 405 of 1969 PA 317 (MCL 418.405).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

28

**HB 4139** Rep. McMillin

Criminal procedure; other; provision relating to proceedings to prevent crime; repeal.

Repeals ch. XII of 1927 PA 175 (MCL 772.1 - 772.15).

**I.E. House, April 11, 2013.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

29

**HB 4138** Rep. McMillin

Military affairs; other; restriction of activities by Michigan national guard and state and local employees; provide for under certain circumstances.

Creates new act.

**I.E. House, April 18, 2013.**

**House substitute (H-1).**

**Reported by Committee on Veterans, Military Affairs and Homeland Security.**

**Committee recommended I.E.**

## GENERAL ORDERS

30

**SB 104** Sen. Anderson

Property tax; exemptions; tax exemption for certain disabled veterans; provide for.

Amends 1893 PA 206 (MCL 211.1 - 211.155) by adding sec. 711.

**Reported by Committee on Finance.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

31

**SB 343** Sen. Jones

Weapons; other; exemption for retired federal law enforcement officers to carry weapon in weapon-free zones; provide for.

Amends secs. 1 & 5o of 1927 PA 372 (MCL 28.421 & 28.425o).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

32

**HB 4382** Rep. Cotter

Health; emergency response; do-not-resuscitate orders; authorize guardians to execute and provide other general amendments.

Amends title & secs. 2, 3, 4, 5, 6, 8, 9, 10, 11 & 14 of 1996 PA 193 (MCL 333.1052 et seq.) & adds sec. 3a.

**I.E. House, April 18, 2013.**

**For House amendment, see House Journal No. 34, page 467.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

33

**HB 4383** Rep. LaFontaine

Human services; adult foster care; citation to do-not-resuscitate orders; revise.

Amends sec. 4 of 1979 PA 218 (MCL 400.704).

**I.E. House, April 18, 2013.**

**For House amendment, see House Journal No. 34, page 467.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

34

**HB 4384** Rep. Kurtz

Probate; guardians and conservators; guardian's authority to consent to a do-not-resuscitate order; clarify, and provide procedure.

Amends secs. 1103, 5303, 5305 & 5314 of 1998 PA 386 (MCL 700.1103 et seq.).

**I.E. House, April 18, 2013.**

**For House amendment, see House Journal No. 34, page 467.**

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

## GENERAL ORDERS

35

**SB 176** Sen. Hildenbrand

Mental health; guardians; guardianship petitions for developmentally disabled individual; allow the court to schedule a hearing before the individual turns 18 years of age.

Amends secs. 609, 614 & 618 of 1974 PA 258 (MCL 330.1609 et seq.).

**Reported by Committee on Families, Seniors and Human Services.**

**Committee recommended I.E.**

36

**HB 4002** Rep. Shirkey

Taxation; administration; interest rate for certain refunds; increase.

Amends sec. 30 of 1941 PA 122 (MCL 205.30).

**I.E. House, April 18, 2013.**

**House substitute (H-3).**

**Reported by Committee on Finance.**

**Committee recommended I.E.**

37

**SB 418** Sen. Hune

Occupations; insurance; travel agents; exempt from being licensed as insurance agents.

Amends sec. 1202 of 1956 PA 218 (MCL 500.1202).

**Reported by Committee on Insurance.**

**Committee recommended I.E.**

38

**SB 105** Sen. Schuitmaker

Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in DNA identification profiling system.

Amends title & sec. 2, 3, 3a & 6 of 1990 PA 250 (MCL 28.172 et seq.).

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

39

**SB 106** Sen. Schuitmaker

Criminal procedure; DNA; collection of DNA samples at time of arrest for committing or attempting to commit a felony offense; provide for in probate code of 1939.

Amends sec. 18k, ch. XIIA of 1939 PA 288 (MCL 712A.18k).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

40

**SB 107** Sen. Jones

Criminal procedure; DNA; collection of DNA samples at time of arrest for committing a felony or attempting to commit a felony offense; provide for in Michigan penal code.

Amends sec. 520m of 1931 PA 328 (MCL 750.520m).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

## GENERAL ORDERS

41

**HB 4262** Rep. Foster

Crimes; weapons; prohibitions against carrying certain weapons; revise.

Amends secs. 226, 227 & 231 of 1931 PA 328 (MCL 750.226 et seq.).

**I.E. House, April 9, 2013.**

**For House amendments, see House Journal No. 25, page 302, and House Journal No. 30, page 409.**

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

42

**SB 410** Sen. Schuitmaker

Law enforcement; other; certain records of probation to be provided to the Michigan commission on law enforcement standards; require.

Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

43

**SB 411** Sen. Schuitmaker

Law enforcement; other; Michigan commission on law enforcement standards (MCOLES); create, and provide for powers and duties of that commission.

Amends secs. 1, 2, 3, 5, 6, 7, 9, 9a, 9b, 9c, 9d, 10, 11, 13, 14 & 15 of 1965 PA 203 (MCL 28.601 et seq.); adds secs. 16a, 16b & 16c & repeals secs. 4 & 16 of 1982 PA 302 (MCL 28.604 & 28.616).

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

44

**SB 412** Sen. Schuitmaker

Law enforcement; funds; administration of Michigan justice training fund; revise to reflect changes made under the Michigan commission on law enforcement standards act.

Amends secs. 1, 2, 3, 4, 5, 6 & 8 of 1982 PA 302 (MCL 18.421 et seq.); adds sec. 7 & repeals sec. 9 of 1982 PA 302 (MCL 18.429).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

45

**SB 323** Sen. Caswell

Public employees and officers; compensation and benefits; public employer contribution to medical benefit plan; modify limitation on coverage amount.

Amends sec. 3 of 2011 PA 152 (MCL 15.563).

**Reported by Committee on Reforms, Restructuring and Reinventing.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

## GENERAL ORDERS

46

**SB 275** Sen. Hune

Human services; services or financial assistance; suspicion-based drug testing for public assistance recipients; require.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57y.

**Reported by Committee on Families, Seniors and Human Services.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

47

**HB 4118** Rep. Farrington

Human services; services or financial assistance; suspicion-based substance abuse screening and testing; include in eligibility criteria for family independence assistance program benefits.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57y.

**House substitute (H-2).**

**Reported by Committee on Families, Seniors and Human Services.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

48

**SB 324** Sen. Marleau

Occupations; insurance; licensing and regulation for navigators; provide for.

Amends secs. 102, 249a, 1201, 1238 & 1242 of 1956 PA 218 (MCL 500.102 et seq.) & adds secs. 1229, 1230, 1231, 1231a & 1231b.

**Reported by Committee on Health Policy.**

**Senate substitute (S-4).**

**Committee recommended I.E.**

49

**SB 254** Sen. Robertson

Children; parental rights; process for judicial waiver of parental consent requirement; clarify.

Amends secs. 3 & 4 of 1990 PA 211 (MCL 722.903 & 722.904).

**Reported by Committee on Judiciary.**

**Committee recommended I.E.**

50

**SB 318** Sen. Jones

Corrections; parole; parole of certain juvenile offenders; allow under certain circumstances.

Amends sec. 34 of 1953 PA 232 (MCL 791.234).

**Reported by Committee on Judiciary.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

51

**SB 319** Sen. Jones

Criminal procedure; sentencing; procedures for determining whether juvenile convicted of murder should be sentenced to imprisonment without parole eligibility; provide for.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 32 & 33 to ch. IX.

**Reported by Committee on Judiciary.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

## GENERAL ORDERS

52

**SB 358** Sen. Meekhof

Occupations; electricians; electrical work for which licensure is required; exclude certain work in manufacturing or mining operations.

Amends sec. 7 of 1956 PA 217 (MCL 338.887).

**Reported by Committee on Reforms, Restructuring and Reinventing.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

53

**HB 4786** Rep. Lori

Health; vital records; vital records fees; modify.

Amends sec. 2891 of 1978 PA 368 (MCL 333.2891) & adds sec. 2892.

**I.E. House, September 12, 2013.**

**House substitute (H-1).**

**Reported by Committee on Appropriations.**

**Committee recommended I.E.**

54

**HB 4787** Rep. Lori

Health facilities; certificate of need; fees and assessments; modify.

Amends sec. 20161 of 1978 PA 368 (MCL 333.20161).

**I.E. House, September 12, 2013.**

**House substitute (H-1).**

**Reported by Committee on Appropriations.**

**Committee recommended I.E.**

55

**HB 4961** Rep. MacGregor

Human services; other; contributions for administrative services; modify.

Amends sec. 117a of 1939 PA 280 (MCL 400.117a).

**I.E. House, September 12, 2013.**

**House substitute (H-1).**

**Reported by Committee on Appropriations.**

**Committee recommended I.E.**

## RESOLUTIONS

56

**SR 34** Sen. Pappageorge

A resolution to declare any statement or comment by the Governor on legislative intent or enforceability that is expressed in a veto message that applies to a portion of law that is not vetoed to have no legal effect.

**Reported by Committee on Appropriations.**

**For text of resolution, see Senate Journal No. 31, page 397.**

**Adoption pending.**



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**COMMITTEE REPORTS**


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57

**HCR 9** Rep. Lori

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

**Reported by Committee on Appropriations.**

**For text of resolution, see Senate Journal No. 73, page 1420.**

**Refer to Resolutions pursuant to Rule 3.106.**

58

**SB 372** Sen. Caswell

Property tax; assessments; sale of certain agricultural property; exclude from sales ratio studies under certain circumstances.

Amends secs. 8 & 27 of 1893 PA 206 (MCL 211.8 & 211.27).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

59

**SB 396** Sen. Casperson

Property tax; assessments; retention of taxable value for property improvements required due to certain natural disaster losses; provide for.

Amends sec. 34d of 1893 PA 206 (MCL 211.34d).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

60

**SB 473** Sen. Brandenburg

Individual income tax; withholding requirements; flow-through entities that have entered into certain housing agreements; eliminate withholding requirement.

Amends sec. 703 of 1967 PA 281 (MCL 206.703).

**Reported by Committee on Finance.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

61

**HB 4586** Rep. Somerville

State financing and management; other; voluntary disclosure agreement; revise.

Amends sec. 30c of 1941 PA 122 (MCL 205.30c).

**I.E. House, May 14, 2013.**

**Reported by Committee on Finance.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**COMMITTEE REPORTS**


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62

**HB 4334** Rep. McMillin

Businesses; limited liability companies; ownership requirements for professional limited liability companies engaged in practice of public accounting; revise.

Amends sec. 904 of 1993 PA 23 (MCL 450.4904).

**I.E. House, May 23, 2013.**

**Reported by Committee on Banking and Financial Institutions.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

63

**HB 4654** Rep. Poleski

Businesses; business corporations; ownership requirements for professional corporations engaged in practice of public accounting; revise.

Amends sec. 284 of 1972 PA 284 (MCL 450.1284).

**I.E. House, May 23, 2013.**

**Reported by Committee on Banking and Financial Institutions.**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

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**SCHEDULED MEETINGS**


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**Appropriations -****Subcommittees -**

**Agriculture and Rural Development** - Tuesday, October 1, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768) (CANCELED)

**Human Services Department** - Wednesday, October 2, 2:00 p.m., Rooms 402 and 403, and Tuesdays, October 8, October 22, and November 5, 2:00 p.m., Room 405, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursday, October 3, 8:00 a.m. and Thursday, October 10, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Finance** - Wednesday, October 2, 12:30 p.m., Room 210, Farnum Building (373-5307)

**Government Operations** - Tuesday, October 1, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

**Judiciary** - Tuesday, October 1, 2:30 p.m., Room 110, Farnum Building (373-5312)

**Legislative Council** - Thursday, October 3, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**Outdoor Recreation and Tourism** - Thursday, October 3, 12:30 p.m., Room 110, Farnum Building (373-5312)

SCHEDULED MEETINGS	SCHEDULED MEETINGS
<b>Reforms, Restructuring and Reinventing</b> - Wednesday, October 2, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)	<b>Transportation</b> - Tuesday, October 1, 1:00 p.m., Room 100, Farnum Building (373-5314)